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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,920	01/16/2004	Shirley Wang	12283/13	1514
26646	7590	07/06/2005	EXAMINER	
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004			KATCHEVES, BASIL S	
			ART UNIT	PAPER NUMBER
			3635	

DATE MAILED: 07/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/759,920

Applicant(s)

WANG ET AL.

Examiner

Basil Katcheves

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-45, 48, 49 and 51-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-23, 35 is/are allowed.
- 6) ☒ Claim(s) 13-20, 24-34, 36, 37, 40-45, 48, 49, 52 and 53 is/are rejected.
- 7) ☒ Claim(s) 38, 39 and 51 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Applicant has entered a Terminal Disclaimer dated 5/2/05. This Terminal Disclaimer has not yet been reviewed. Upon approval, the double patenting rejection of the previous office action will be removed.

Applicant has cancelled claims 1-12, 46, 47 and 50. Pending claims 13-45, 48, 49, and 51-53 are examined below.

Claim Objections

Claims 13 and 51 are objected to because of typographic errors. Claim 13 states "interlocks begin" in line 5 and claim 51 states "first and screwless" in line 5.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 32 and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,184,297 to Casamayor.

Regarding claims 32 and 34, Casamayor discloses a window frame having a screwless first and second interlock (fig. 3a), the first having a stop (fig. 3a: area above

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14 & 15) and the second having a stop (fig. 3a: pointed end of 13), the interlocks are integrally formed as part of the frame, the first having horizontal ledges (fig. 3a: inward facing ledges of 14 & 15) extending from the double pins (14 & 15), and the second lock includes a double cleat (fig. 3a: see pair of cleats on left and right sides of 13).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13-20, 29, 31, 33, 40-45, 48, 49, 52 and 53 are rejected under 35

U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,272,801 to Suh.

Regarding claims 13, 29 and 48, Suh discloses first and second frame members (fig. 8) with screwless interlocks, the frames having stops (fig. 8: see right side, frontal vertical edge of 160, and left side, frontal vertical edge of 140) to prevent over insertion when engaged. Suh does not disclose a temporary support for separating the halves during transportation. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add packing material such as packing paper or styrofoam between the halves during transportation in order to prevent scuffing

or damage, as it is common to protectively support a large variety of products during transportation while in a packaged state.

Regarding claim 14, Suh discloses the first interlock (160) as being male.

Regarding claims 15 and 18, Suh discloses the stop as being an integral part of the first interlock (fig. 8: 160)

Regarding claims 16, 19 and 20, Suh discloses the stop as being an integral part of the second interlock (fig. 8: 140).

Regarding claim 17, Suh discloses the first interlock as integrally formed (fig. 8: see 169 integral with 160).

Regarding claims 31 and 33, Suh discloses first and second window pane frame members (fig. 8) with screwless interlocks attached to a door (fig. 1), the frames having stops (fig. 8: see right side, frontal vertical edge of 160, and left side, frontal vertical edge of 140) to prevent over insertion when engaged. Suh does not disclose a temporary support for separating the halves during transportation. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add packing material such as packing paper or styrofoam between the halves during transportation in order to prevent scuffing or damage, as it is common to protectively support a large variety of products during transportation while in a packaged state.

Regarding claim 40, Suh discloses first and second frame members (fig. 8) with screwless interlocks, the frames having stops (fig. 8: see right side, frontal vertical edge of 160, and left side, frontal vertical edge of 140) to prevent over insertion when

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engaged. Suh does not disclose a temporary supports for separating the halves during transportation. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add a plurality of packing material such as packing paper or styrofoam between the halves during transportation in order to prevent scuffing or damage, as it is common to protectively support a large variety of products during transportation while in a packaged state.

Regarding claim 41, Suh discloses stops (fig. 6a: flat surface behind 162).

Regarding claims 42 and 43, Suh discloses the stop as being part of the first and second interlock.

Regarding claims 44 and 45, Suh discloses a first and second frame screwless interlock (fig. 6b) with stops (fig. 6a: circular area behind 163) , both halves are molded identical. Also, Suh discloses a tab with an inner chamber (fig. 6b: 162) for the first interlock to engage within (fig. 6a: 163).

Regarding claims 49 and 53, Suh discloses the frame halves as identical (fig. 6B, 162 removed) and capable of being formed in the same mold.

Regarding claim 52, Suh discloses stops.

Claims 24-28, 30, 36 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,184,297 to Casamayor.

Regarding claim 24, Casamayor discloses a frame with first and second screwless interlocks (fig. 3a), the first interlock having a stop (fig. 3a: surfaces above 14 & 15), the interlock includes a pair of pins (14 & 15), each pin having a ledge (fig. 3a: see inner facing ledges of 14 & 15). Casamayor does not disclose a temporary support for separating the halves during transportation. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add packing material such as packing paper or styrofoam between the halves during transportation in order to prevent scuffing or damage, as it is common to protectively support a large variety of products during transportation while in a packaged state.

Regarding claim 25, Casamayor discloses the stop as having ledges (top surfaces of 14 & 15).

Regarding claims 26 and 27, Casamayor discloses the second interlock as having a double cleat (fig. 3a: left and right cleats of 13).

Regarding claim 28, Casamayor discloses the double cleat as having a base near the second frame and an outward end away from the base, and the double cleat includes a planar stop member (fig. 3a: see shaft of double cleat 13) which extends between the base and the end of the double cleats.

Regarding claim 30, Casamayor discloses a frame with first and second screwless interlocks (fig. 3a), the first interlock having a stop (fig. 3a: surfaces above 14 & 15), the interlock includes a pair of pins (14 & 15), each pin having a ledge (fig. 3a:

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see inner facing ledges of 14 & 15). Casamayor does not disclose a temporary support for separating the halves during transportation. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add packing material such as packing paper or styrofoam between the halves during transportation in order to prevent scuffing or damage, as it is common to protectively support a large variety of products during transportation while in a packaged state. Casamayor also discloses the second interlock as having a double cleat (fig. 3a: left and right cleats of 13) and the double cleat as having a base near the second frame and an outward end away from the base, and the double cleat includes a planar stop member (fig. 3a: see shaft of double cleat 13) which extends between the base and the end of the double cleats.

Regarding claim 36, Casamayor discloses the ledges of the pins as being outward from the pin base.

Regarding claim 37, Casamayor discloses planar stop member as connecting the bases of the cleats (fig. 3a: see shaft connecting 13 to frame base 12).

Claim Objections

Claims 38, 39 and 51 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Allowable Subject Matter

Claims 21-23, 35 are allowed.

Response to Arguments

Applicant's arguments filed 5/2/05 have been fully considered but are moot under new grounds of rejections.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Basil Katcheves whose telephone number is (571) 272-6846. The examiner can normally be reached on Monday-Friday from 7:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman, can be reached at (571) 272-6842.

BK
6/30/05
DATE


Basil Katcheves

Primary Examiner AU 3635